

**ENTERED**

March 15, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

FELIX OMAR CASTAN-CRUZ,  
Movant,

v.

UNITED STATES OF AMERICA,  
Respondent.

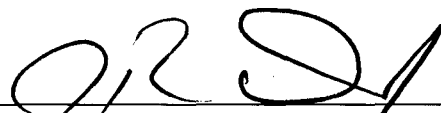
§  
§  
§  
§  
§  
§  
§

Civil Action No. 1:15-CV-216

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Magistrate Judge's Report and Recommendation (Dkt. No. 8) in the above-referenced cause of action. No objections have been filed by the Movant. After a de novo review of the file, the Magistrate Judge's Report and Recommendation is **ADOPTED**. It is therefore, **ORDERED, ADJUDGED, and DECREED** that the Movant's Motion to Vacate, Set Aside or Correct Sentence (Dkt No. 1) is dismissed as untimely pursuant to 28 U.S.C. §2255(f)(1). Additionally, the Court declines to apply the savings clause to Movant's claims. Finally, the Court declines to issue a certificate of appealability.

Signed on this 15<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
Rolando Olvera  
United States District Judge